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Attorneys for Defendant, Counterclaimant
MICROSOFT CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IMPLICIT NETWORKS, INC.,

Case No. 3:09-cv-01478 SI

Plaintiff,

VS.

SYBASE, INC. and MICROSOFT
CORPORATION.

**STIPULATION AND [PROPOSED]
ORDER PURSUANT TO LOCAL RULE 6-2
TO EXTEND TIME FOR PATENT LOCAL
RULE 4-2 DEADLINE**

Microsoft.

MICROSOFT CORPORATION.

Counterclaimant,

VS.

IMPLICIT NETWORKS, INC.

Counterdefendant.

1 Pursuant to Local Rule 6-2, Defendant Microsoft Corporation (“Microsoft”) and Plaintiff
2 Implicit Networks, Inc. (“Implicit”) hereby stipulate as follows:

3 WHEREAS, on August 3, 2009, the Court issued its scheduling order (Docket No. 25-1);

4 WHEREAS, the Court’s scheduling order provides that the parties are to exchange
5 preliminary claim construction(s) and extrinsic evidence pursuant to Patent Local Rule 4-2 on
6 November 5, 2009;

7 WHEREAS, the Court’s scheduling order provides that the parties are to exchange responsive
8 claim construction(s) on November 23, 2009;

9 WHEREAS, the parties have agreed to extend the foregoing dates for the convenience of the
10 parties as follows: (i) the parties have agreed to extend the date for the exchange of preliminary claim
11 construction(s) and extrinsic evidence pursuant to Patent Local Rule 4-2 from November 5, 2009 to
12 November 19, 2009, and (ii) the parties have further agreed to extend the date to exchange responsive
13 claim construction(s) from November 23, 2009 to December 1, 2009;

14 WHEREAS, the extension of the foregoing dates will not affect any other court-ordered dates,
15 and will not affect the January 11, 2010 filing of the parties’ joint claim construction and pre-hearing
16 statement pursuant to Patent Local Rule 4-3; and

17 WHEREAS, this is the parties’ first request for extension of these dates.

18 IT IS HEREBY STIPULATED by Plaintiff and Defendant, through their counsel of record,
19 that the parties will exchange (i) preliminary claim construction(s) and extrinsic evidence pursuant to
20 Patent Local Rule 4-2 on November 19, 2009, and (ii) the parties will exchange responsive claim
21 construction(s) on December 1, 2009.

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1 IT IS SO STIPULATED.

2 Dated: November 4, 2009

K&L GATES LLP

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By: /s/ Holly Hogan

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By: /s/ George F. Bishop

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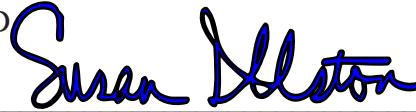
IMPLICIT NETWORKS, INC.

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED

2 DATED: _____



3 Honorable Susan Illston
4 UNITED STATES DISTRICT JUDGE

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